

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

UNITED STATES and	§	
STATE OF TEXAS <i>ex rel.</i>	§	
FRANK ADOMITIS, <i>Qui Tam</i> Relator,	§	
	§	CIVIL ACTION No. 1:20CV91
Plaintiff,	§	
	§	
v.	§	<u>FILED UNDER SEAL</u>
	§	
LIBERTY COUNTY HOSPITAL	§	
DISTRICT NO. 1, d/b/a	§	
LIBERTY-DAYTON REGIONAL	§	
MEDICAL CENTER,	§	
	§	
Defendant.	§	

**UNITED STATES' AND THE STATE OF TEXAS' NOTICE OF CONSENT
TO RELATOR'S VOLUNTARY DISMISSAL**

On June 17, 2021, Relator, Frank Adomitis ("Relator") filed a Notice of Voluntary Dismissal seeking to voluntarily dismiss this action, with prejudice to Relator and without prejudice to the United States. Pursuant to the False Claims Act, 31 U.S.C. § 3730(b), the United States of America, by its undersigned attorneys, hereby respectfully notifies the Court that the United States consents to the voluntary dismissal of Relator's action if and only if such dismissal is: (1) with prejudice to Relator and (2) **without prejudice** to the United States.

In addition, pursuant to the Texas Medicaid Fraud Prevention Act, Chapter 36 of the Texas Human Resources Code, the State of Texas, by its undersigned attorneys, respectfully notifies the Court that the State of Texas also consents to the voluntary

dismissal of Relator's action if and only such dismissal is: (1) with prejudice to Relator and (2) **without prejudice** to the State of Texas.

The United States further requests that the seal be lifted in this action as to Relator's Complaint, Relator's Notice of Voluntary Dismissal, this Notice, the Court's dismissal order, and any matters occurring after the date of the Court's dismissal order. The United States requests that all other papers on file in this action remain under seal because, in discussing the content and extent of the United States' investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended. A proposed order accompanies this Notice.

NICHOLAS J. GANJEI
ACTING UNITED STATES ATTORNEY
/s/ Michael W. Lockhart
MICHAEL W. LOCKHART
Assistant United States Attorney
Texas Bar Number 12472200
550 Fannin St., Suite 1250
Beaumont, Texas 77701
(409) 839-2538
(409) 839-2643 - fax
michael.lockhart@usdoj.gov
**ATTORNEY FOR THE UNITED STATES
OF AMERICA**

and

KEN PAXTON
Attorney General of Texas
BRENT WEBSTER
First Assistant Attorney General

GRANT DORFMAN
Deputy First Assistant Attorney General
SHAWN E. COWLES
Deputy Attorney General for Civil Litigation
RAYMOND C. WINTER
Chief, Civil Medicaid Fraud Division

/s/ Susan J. Arenella
SUSAN J. ARENELLA
Texas Bar No. 24001320
Assistant Attorney General
Civil Medicaid Fraud Division
Office of the Attorney General of Texas
P.O. Box 12548
Austin, Texas 78711-2548
(512) 936-1448 (phone)
(512) 936-0674 (fax)
susan.arenella@oag.texas.gov
**ATTORNEYS FOR THE STATE OF
TEXAS**

CERTIFICATE OF SERVICE

I hereby certify that, on this 9th day of August 2021, I caused a copy of the United States' and the State of Texas' Notice of Consent to Relator's Voluntary Dismissal to be served on counsel for Relator by electronic mail.

/s/ Michael W. Lockhart
MICHAEL W. LOCKHART

Philip H. Hilder
philip@hilderlaw.com
Paul L. Creech
paul@hilderlaw.com
819 Lovett Blvd.
Houston, Texas 77006